

REMARKS

1. Present Status of Patent Application

This is a full and timely response to the outstanding non-final Office Action mailed March 18, 2008. Claims 1, 8, 10, 14, 17, 27, 30, 31, 33, and 35-39 have been amended, and claims 1-39 remain pending in the present application. Reconsideration and allowance of the application and presently pending claims are respectfully requested.

2. Response to Rejections of Claims under 35 U.S.C. § 112

Claims 1, 4, 6, 8, 10-13, 18, 27, 30-31, 33, and 35-37 have been rejected under 35 U.S.C. § 112, Second Paragraph, as allegedly being indefinite. Independent claims 1 and 27 have been amended to address the Examiner's concerns. Withdrawal of the rejection is respectfully requested.

3. Response to Rejections of Claims under 35 U.S.C. § 102

Claims 1-3, 14-15, and 27-28 stand rejected under 35 U.S.C. § 102(a) as allegedly being anticipated by Applicant's Admitted Prior Art ("AAPA"). Claims 10-11, 23-24, and 36-37 stand rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by *Postel* (RFC 959 "File Transfer Protocol"). Claims 4-6, 8-9, 16-18, 20-22, 29-31, and 33-35 stand rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by *Swartz* (U.S. Patent No. 6,961,778).

a. Claim 1

As provided in independent claim 1, Applicant claims:

A file transfer system, comprising:

an originating file transfer host, comprising:

a script server monitoring for incoming scripts and files from remote terminals, receiving a file and a script associated with the file from at least one remote terminal, in response to receiving the file and script, interpreting the script, and transferring the script and the file; and

an originating file transfer server receiving the script and the file from the script server and transferring the file to a terminating file transfer server in accordance with the script.

(Emphasis added).

Claim 1 is patentable over Applicant's Admitted Prior Art ("AAPA") for at least the reason that the cited art fails to teach or suggest at least "a script server monitoring for incoming scripts and files from remote terminals, receiving a file and a script associated with the file from at least one remote terminal, in response to receiving the file and script, interpreting the script, and transferring the script and the file; and an originating file transfer server receiving the script and the file from the script server and transferring the file to a terminating file transfer server in accordance with the script," as emphasized above.

The Office Action refers to the Description of Related Art in the background section of the present application for all the features recited in claim 1. In this portion of the application, it is described that a "file and script can be copied to the shared host with a login account via FTP. A local Connect:Direct user opens up a terminal on the shared host and instructs the Connect:Direct server to transfer the file to a terminating Connect:Direct server operating on a remote host machine using the script." Page 3, lines 1-5. Accordingly, a script server is not described in the background of the present application to be operable to receive the script from a remote terminal and transfer the script to an originating file transfer server, where the originating file transfer server transfers the file in accordance with the script. Rather, a local user is disclosed to instruct the Connect:Direct server to transfer the file. As such, AAPA fails to teach or suggest at least "a script server monitoring for incoming scripts and files from remote terminals, receiving a file and a script associated with the file from at least one remote terminal, in response to receiving the file and script, interpreting the script, and transferring the script and the file; and an originating file transfer server receiving the script and the file from the script server and transferring the file to a terminating file transfer server in accordance with the script," as recited in claim 1.

Hence, claim 1 is not anticipated by AAPA, and the rejection should be withdrawn.

b. Claims 2-6, 8-9, and 10-11

For at least the reasons given above, independent claim 1 is allowable over AAPA. Since claims 2-3 depend from and include the features of claim 1 and recite additional features, claims 2-3 are allowable as a matter of law over the AAPA.

Claims 4-6, 8-9, and 10-11 depend from and include the features of claim 1 and recite additional features. The cited art of *Postel* and *Swartz* fails to remedy the deficiencies of Applicant's Admitted Prior Art. Therefore, claims 4-6, 8-9, and 10-11 are allowable as a matter of law over the cited art.

Further, claims 4-6, 8-9, and 10-11 are improperly rejected under 35 U.S.C. § 102, since the rejection appears to have been made based on art cited against the independent claim and additional art.

c. Claim 14

As provided in independent claim 14, Applicant claims:

A method of bulk file transfer, comprising:
monitoring for incoming scripts and files from remote terminals;
receiving from a remote terminal a script and at least one file associated with the script at a script server of a host;
in response to receiving the script and the at least one file, communicating said at least one file to a originating file transfer server of a host; and
transferring said at least one file to a terminating file transfer server in accordance with the script associated with said at least one file.

(Emphasis added).

Claim 14 is patentable over AAPA for at least the reason that the cited art fails to teach or suggest at least "monitoring for incoming scripts and files from remote terminals; receiving from a remote terminal a script and at least one file associated with the script at a script server of a host; in response to receiving the script and the at least one file, communicating said at least one file to a originating file transfer server of a host; and transferring said at least one file to a terminating file transfer server in accordance with the script associated with said at least one file," as emphasized above.

The Office Action refers to the Description of Related Art in the background section of the present application for all the features recited in claim 1. In this portion of the application, it is described that a "file and script can be copied to the shared host with a login account via FTP. A local Connect:Direct user opens up a terminal on the shared host and instructs the Connect:Direct server to transfer the file to a terminating Connect:Direct server operating on a remote host machine using the script." Page 3, lines 1-5. Accordingly, a script server is not described in the background of the present application to be operable to receive the script from a remote terminal and transfer the script to an originating file transfer server, where the originating file transfer server transfers the file in accordance with the script. Rather, a local user is disclosed to instruct the Connect:Direct server to transfer the file. As such, AAPA fails to teach or suggest at least "monitoring for incoming scripts and files from remote terminals; receiving from a remote terminal a script and at least one file associated with the script at a script server of a host; in response to receiving the script and the at least one file, communicating said at least one file to an originating file transfer server of a host; and transferring said at least one file to a terminating file transfer server in accordance with the script associated with said at least one file," as recited in claim 14.

Hence, claim 14 is not anticipated by AAPA, and the rejection should be withdrawn.

d. Claims 15-18 and 20-24

For at least the reasons given above, independent claim 14 is allowable over the cited art. Since claim 15 depends from and includes the features of claim 14 and recites additional features, claim 15 is allowable as a matter of law over AAPA.

Claims 16-18 and 20-24 depend from and include the features of claim 14 and recite additional features. The cited art of *Postel* and *Swartz* fails to remedy the deficiencies of Applicant's Admitted Prior Art. Therefore, claims 16-18 and 20-24 are allowable as a matter of law over the cited art.

Further, claims 16-18 and 20-24 are improperly rejected under 35 U.S.C. § 102, since the rejection appears to have been made based on art cited against the independent claim and additional art.

e. Claim 27

As provided in independent claim 27, Applicant claims:

A computer readable medium having a program for bulk file transfer, the program being embodied on a tangible medium and causing a computer to perform:

monitoring for incoming scripts and files from remote terminals;

receiving from a remote terminal a script and at least one file associated with the script at a script server of a host;

in response to receiving the script and the at least one file, communicating said at least one file to a originating file transfer server of a host; and

transferring said at least one file to a terminating file transfer server in accordance with the script associated with said at least one file.

(Emphasis added).

Claim 27 is patentable over AAPA for at least the reason that the cited art fails to teach or suggest at least “monitoring for incoming scripts and files from remote terminals; receiving from a remote terminal a script and at least one file associated with the script at a script server of a host; in response to receiving the script and the at least one file, communicating said at least one file to a originating file transfer server of a host; and transferring said at least one file to a terminating file transfer server in accordance with the script associated with said at least one file,” as emphasized above.

The Office Action refers to the Description of Related Art in the background section of the present application for all the features recited in claim 1. In this portion of the application, it is described that a “file and script can be copied to the shared host with a login account via FTP. A local Connect:Direct user opens up a terminal on the shared host and instructs the Connect:Direct server to transfer the file to a terminating Connect:Direct server operating on a remote host machine using the script.” Page 3, lines 1-5. Accordingly, a script server is not described in the background of the present application to be operable to receive the script from a remote terminal and transfer the script to an originating file transfer server, where the originating file transfer server transfers the file in accordance with the script. Rather, a local user is disclosed to instruct the Connect:Direct server to transfer the file. As such, AAPA fails to teach or

suggest at least “monitoring for incoming scripts and files from remote terminals; receiving from a remote terminal a script and at least one file associated with the script at a script server of a host; in response to receiving the script and the at least one file, communicating said at least one file to an originating file transfer server of a host; and transferring said at least one file to a terminating file transfer server in accordance with the script associated with said at least one file,” as recited in claim 27.

Hence, claim 27 is not anticipated by AAPA, and the rejection should be withdrawn.

f. Claims 28-31 and 33-37

For at least the reasons given above, independent claim 27 is allowable over the cited art. Since claim 28 depends from and includes the features of claim 27 and recites additional features, claim 28 is allowable as a matter of law over the cited art.

Claims 29-31 and 33-37 depend from and include the features of claim 27 and recite additional features. The cited art of *Postel* and *Swartz* fails to remedy the deficiencies of Applicant’s Admitted Prior Art. Therefore, claims 29-31 and 33-37 are allowable as a matter of law over the cited art.

Further, claims 29-31 and 33-37 are improperly rejected under 35 U.S.C. § 102, since the rejection appears to have been made based on art cited against the independent claim and additional art.

4. Response to Rejections of Claims under 35 U.S.C. § 103

Claims 7, 19, and 32 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over *Swartz*. Claims 12-13, 25-26, and 38-39 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over *Postel* in further view of *Wei* (U.S. Patent Publication No. 2002/0087642 A1).

a. Claims 7 and 12-13

Claims 7 and 12-13 depend from and include the features of claim 1 and recite additional features. Further, the cited art of *Postel*, *Swartz*, and *Wei* fails to remedy the deficiencies of AAPA. Therefore, claims 7 and 12-13 are allowable as a matter of law over the cited art.

b. Claims 19 and 25-26

Claims 19 and 25-26 depend from and include the features of claim 14 and recite additional features. Further, the cited art of *Postel*, *Swartz*, and *Wei* fails to remedy the deficiencies of AAPA. Therefore, claims 19 and 25-26 are allowable as a matter of law over the cited art.

c. Claims 32 and 38-39

Claims 32 and 38-39 depend from and include the features of claim 27 and recite additional features. Further, the cited art of *Postel*, *Swartz*, and *Wei* fails to remedy the deficiencies of AAPA. Therefore, claims 32 and 38-39 are allowable as a matter of law over the cited art.

CONCLUSION

Any other statements in the Office Action that are not explicitly addressed herein are not intended to be admitted. In addition, any and all findings of inherency are traversed as not having been shown to be necessarily present. Furthermore, any and all findings of well-known art and official notice, or statements interpreted similarly, should not be considered well known for at least the specific and particular reason that the Office Action does not include specific factual findings predicated on sound technical and scientific reasoning to support such conclusions.

For at least the reasons set forth above, Applicant respectfully submits that all objections and/or rejections have been traversed, rendered moot, and/or accommodated, and that the pending claims are in condition for allowance. Favorable reconsideration and allowance of the present application and all pending claims are hereby courteously requested. In addition, Applicant reserves the right to address any comments made in the Office Action that were not specifically addressed herein. Thus, such comments should not be deemed admitted by the Applicant. If, in the opinion of the Examiner, a telephonic conference would expedite the examination of this matter, the Examiner is invited to call the undersigned agent at (770) 933-9500.

Respectfully submitted,



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